

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Barnardo, et al.

Appl. No. 09/809,029

Filed: 03/16/2001

For: Method

Confirmation No.: 5589

Art Unit: 1641

Examiner: Gary W. Counts

Atty. Docket: 1181-251

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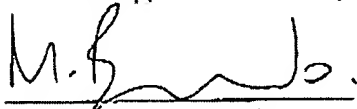
DECLARATION UNDER 37 C.F.R. § 1.132

I, Martin C. Barnardo, a British citizen of 99 Fairacres Road, Oxford, England, declare as follows:

1. I am an inventor on the present application, together with Michael Bunce, Andrea W. Harmer, Robert W. Vaughn and Kenneth I. Walsh.
2. I have reviewed the Final Office Action dated September 29, 2008 in the above-described patent application. In that Office Action, the Examiner refers to the "Barnardo I" (Barnardo, et al. Detection of HLA Antibodies Using Single Recombinant HLA Alleles. Human Immunology, Abstracts 1999, Vol. 60, Supp. 2) and "Barnardo II" (Barnardo, et al. Detection of HLA-Specific IgG Using Single, Recombinant HLA Alleles". Human Immunology (1999), Vol. 60, No. Suppl. 1, pp. S1) abstracts.
3. I am the first author of and have reviewed the Barnardo I and Barnardo II abstracts.
4. Michael Bunce ("Mike Bunce") is named as an author on Barnardo I but not Barnardo II.
5. Along with myself and the other co-inventors named in this application, Michael Bunce conceived of and reduced to practice the invention claimed therein. Michael Bunce should have been listed as an author on the Barnardo II abstract. His name was excluded from the Barnardo II abstract only by mistake.
6. Graham Ogg is listed as an author on both Barnardo I and Barnardo II abstracts. Graham Ogg was named as an author since he made available HLA class I monomers

consisting of the various heavy chains complexed with the beta-2-microglobulin and various peptides.

7. Olivia Shaw is mentioned as an author on the Barnardo I abstract. Olivia Shaw was named as an author since she carried out technical work under the direction of Andrea Harmer and was helpful in completing the project.
8. Neither Graham Ogg nor Olivia Shaw made any inventive contribution to the invention claimed in this application. I therefore consider neither to be an inventor. Graham Ogg and Olivia Shaw agreed with their presence as authors of the paper, but not as inventors on this patent application.
9. The inventors named on this patent application, and no one else, were involved in the conception and eventual reduction to practice of the invention claimed in this patent application.
10. All statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.


Dr. Martin C. Barnardo

February 26th 2009
Date